

# Court of Appeals, State of Michigan

## ORDER

Daniel Krause v Volkswagen of America Inc

Docket No. 260227

LC No. 2002-039528-CP

Henry William Saad  
Presiding Judge

Mark J. Cavanagh

E. Thomas Fitzgerald  
Judges

---

Under the authority of MCR 7.211(C)(2) and MCR 7.216(A)(10), the Court orders that the motion to dismiss is GRANTED and this appeal is DISMISSED for defendant's repeated failure to comply with the court rules in connection with this appeal and defendant's prior appeal in Court of Appeals docket no. 253066.

Under the authority of MCR 7.216(C), the Court further orders that defendant's counsel is ASSESSED court costs in the amount of \$1000 for knowingly filing an appeal of right from a non-final order while representing to this Court that such order was a final order appealable of right. *Children's Hosp v ACIA*, 450 Mich 760; 454 NW2d 502 (1996). Under MCR 7.216(C)(1)(b) this Court finds that counsel's filings in this appeal and the prior appeal were "grossly lacking in the requirements of propriety, violated the court rules, [and] grossly disregarded the requirements of a fair presentation of the issues to the court."



A true copy entered and certified by Sandra Schultz Mengel, Chief Clerk, on

AUG 19 2005  
Date

*Sandra Schultz Mengel*  
Chief Clerk